

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

WASHINGTON INTERNATIONAL
INSURANCE COMPANY,

Plaintiff,

v.

ARTEK BUILDERS, INC.,

Defendant

CIVIL ACTION NO. 05-CV-10437-GAO

**WASHINGTON INTERNATIONAL INSURANCE COMPANY'S MOTION FOR
SUMMARY JUDGMENT**

Plaintiff, Washington International Insurance Company ("Plaintiff" or "WIIC"), moves the Court pursuant to Federal Rule of Civil Procedure 56 to enter Summary Judgment in its favor as the undisputed record demonstrates that Artek is the alter ego and/or an insider or within the family of Luiz companies, and therefore, not a claimant as defined by M.G.L. c. 149, §29. As such, WIIC is exonerated and discharged from any liability under the Bonds and is entitled to Summary Judgment as a matter of law.

Respectfully Submitted,
Washington International Insurance Company,
By its attorneys,

/s/ Paula-Lee Chambers
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Date: January 30, 2006